

August 17, 2023

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

AUG 16 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RICKY-DEAN HORTON,

Plaintiff-Appellant,

v.

PG&E CORPORATION,

Defendant-Appellee.

No. 23-15716

D.C. No. 4:22-cv-06367-HSG
Northern District of California,
Oakland

ORDER

Before: SCHROEDER, BERZON, and OWENS, Circuit Judges.

A review of the record, the opening brief, and the parties' briefing on the motion for summary affirmance demonstrates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (stating standard for summary affirmance); *see also* Fed. R. Bankr. P. 8002(a)(1) (providing that "a notice of appeal must be filed with the bankruptcy clerk within 14 days after entry of the judgment, order, or decree being appealed"); *In re Mouradick*, 13 F.3d 326, 327 (9th Cir. 1994) ("The provisions of Bankruptcy Rule 8002 are jurisdictional; the untimely filing of a notice of appeal deprives the appellate court of jurisdiction to review the bankruptcy court's order." (citations omitted)). Accordingly, the motion for summary affirmance (Docket Entry No. 5) is granted.

AFFIRMED.